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Defendant

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

LEILANI YORK, Derivatively on Behalf
of Nominal Defendant FX Energy, Inc.,

Plaintiff,

vs.

DAVID N. PIERCE, DENNIS B.
GOLDSTEIN, ARNOLD S. GRUNDTVIC,
JR., RICHARD HARDMAN, TOM
LOVEJOY, JERZY MACIOLEK, CLAY
NEWTON, ANDREW W. PIERCE and
DAVID WORRELL,

Defendants,

and

FX ENERGY, INC.,

Nominal Defendant.

Case No. 2:08-cv-00143 DB

**STIPULATION FOR DISMISSAL OF
ACTION WITH PREJUDICE**

Judge Dee Benson

The above-referenced parties, by and through their respective counsel of record, hereby stipulate and agree that this action should be dismissed with prejudice, with the parties each to bear their respective costs and attorneys' fees.

DATED this 20th day of December, 2010.

/s/ Eric L. Zagar

(Signed by Filing Attorney with permission of Plaintiff's Attorney)

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/s/ Raymond J. Etcheverry

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CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of December, 2010, I electronically filed the foregoing **STIPULATION FOR DISMISSAL OF ACTION WITH PREJUDICE** with the Clerk of Court using the CM/ECF system, which sent notification of such filing to all counsel of record, including:

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